

DEBATING THE ISSUES: WAS MADISON RIGHT?

In his famous essay in *The Federalist*, No. 10, future president James Madison expressed concern about the "mischief of factions." It was natural, he argued, for people to organize around a principle or interest they held in common, and the most common motivation for organizing such factions was property—those who had it versus those who did not, creditors versus lenders. The danger in such efforts, however, was that a majority faction might usurp the rights of a minority. In a small direct democracy, where a majority of the people could share a "common passion," the threat was very real. Expand the geographic size of the country, however, and replace direct democracy with a system of elected representatives, separation of powers, and checks and balances, and the threat diminished. The likelihood of any one faction appealing to a majority of citizens in a large republic governed by representatives from diverse geographic regions was remote. To Madison, factions were a natural outgrowth of the differences between people, and the only way to eliminate factions would be to eliminate liberty. Eliminating factions might not be possible or desirable, but the mischief of factions could be controlled with a system of representation based upon varied constituencies that embraced multiple, diverse interests. From the competition of diverse interests would arise compromise and balanced public policy.

Madison's concerns about interests and particularly organized interests have resonated throughout American history. At various times in the U.S., the public has seemed to become especially concerned with the power of interests in politics. One political scientist refers to this as the "ideals vs. institutions" gap—there are times when "what is" is so different from what Americans believe "should be" that pressure mounts to reform lobbying laws, campaign regulations, business practices, and so on. Positions on these issues do not always neatly sort out into the typical liberal and conservative categories. For example, a Democratic senator (Russ Feingold) and Republican senator (John McCain) joined forces to lead the effort for campaign finance reform, but liberal and conservative interest groups joined forces in 2003 to challenge (unsuccessfully) the constitutionality of some of the new law's limits on interest-group campaign advertising.

Was Madison right about the benefits that would emerge from the competition of interests? In the following excerpt from *The Governmental Process*, David Truman answers with an emphatic "yes!" Despite the popular criticism of "special" interests that seem to taint the political process with their dominant influence, Truman argues that such groups have been a common and inevitable feature of American government. Groups form to give individuals a means of self-expression and to help individuals find security in an uncertain world. In fact, the

uncertainty of the social environment, and the resulting threat to one's interests, is a chief motivation for groups to form and "taming" this environment is a central concern for group members. Rather than leading to a system ruled by a few dominant powers, Truman suggests the reality is much more fluid. What the critics of group influence fail to recognize is that people have "multiple or overlapping membership" in groups so that "no tolerable normal person is totally absorbed in any group in which he participates." There is balance, in other words, to the views any one member brings to the organization and ultimately to the political process. Further, the potential for a group to form is always present, and "[s]ometimes it may be this possibility of organization that alone gives the potential group a minimum of influence in the political process." Just because someone is not a member of an organized group does not obviate the influence they can bring to bear on the political process. The result, as Madison argued, is a balanced approach to the diverse interests who must compromise to form public policy.

Jonathan Rauch disagrees. He views with pessimism the ever-expanding number of interest groups in the political process. Whether groups claim to represent narrow economic interests or a broader public interest, Rauch does not see balance and compromise as the result of their competition in the political arena. Rather, he sees a nation suffering from "hyperpluralism," or the explosion of groups making claims on government power and resources. When elected officials attempt to reduce budget deficits or to establish new priorities and refocus expenditures, they are overwhelmed by the pressures of a wide range of groups. As a result, government programs are never terminated or restructured; tough budget cuts or tax changes are rarely made; and a very rich democratic country and its government becomes immobile. Rather than the dynamic system of change and compromise envisioned by Truman, Rauch sees a system characterized primarily by inertia because of the power of groups to prevent government action.

The Federalist, No. 10

JAMES MADISON

To the People of the State of New York:

Among the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction. The friend of popular governments never finds himself so much alarmed for their character and fate, as when he contemplates their propensity to this dangerous vice. He will not fail, therefore, to set a due value on any plan which, without violating the principles to which he is attached, provides a proper cure for it. The instability, injustice, and confusion introduced into the public councils, have, in truth, been the mortal diseases under which popular governments have everywhere perished; as they continue to be the favorite and fruitful topics from which the adversaries to liberty derive their most specious declamations. The valuable improvements made by the American constitutions on the popular models, both ancient and modern, cannot certainly be too much admired; but it would be an unwarrantable partiality, to contend that they have as effectually obviated the danger on this side, as was wished and expected. Complaints are everywhere heard from our most considerate and virtuous citizens, equally the friends of public and private faith, and of public and personal liberty, that our governments are too unstable; that the public good is disregarded in the conflicts of rival parties; and that measures are too often decided, not according to the rules of justice and the rights of the minor party, but by the superior force of an interested and overbearing majority. However anxiously we may wish that these complaints had no foundation, the evidence of known facts will not permit us to deny that they are in some degree true. It will be found, indeed, on a candid review of our situation, that some of the distresses under which we labor have been erroneously charged on the operation of our governments; but it will be found, at the same time, that other causes will not alone account for many of our heaviest misfortunes; and, particularly, for that prevailing and increasing distrust of public engagements, and alarm for private rights, which are echoed from one end of the continent to the other. These must be chiefly, if not wholly, effects of the unsteadiness and injustice with which a factious spirit has tainted our public administrations.

By a faction, I understand a number of citizens, whether amounting

to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community.

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy, that it is worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government. From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

The latent causes of faction are thus sown in the nature of man; and we see them everywhere brought into different degrees of activity, according to the different circumstances of civil society. A zeal for different opinions concerning religion, concerning government, and many other points, as well of speculation as of practice; an attachment to different leaders ambitiously contending for pre-eminence and power; or to persons of other descriptions whose fortunes have been interesting to the human passions, have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts. But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have

ever joined distinct interests in society. Those who are creditors, and those who are debtors, fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations, and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government.

No man is allowed to be a judge in his own cause, because his interest would certainly bias his judgment, and, not improbably, corrupt his integrity. With equal, nay with greater reason, a body of men are unfit to be both judges and parties at the same time; yet what are many of the most important acts of legislation, but so many judicial determinations, not indeed concerning the rights of single persons, but concerning the rights of large bodies of citizens? and what are the different classes of legislators but advocates and parties to the causes which they determine? Is a law proposed concerning private debts? It is a question to which the creditors are parties on one side and the debtors on the other. Justice ought to hold the balance between them. Yet the parties are, and must be, themselves the judges; and the most numerous party, or, in other words, the most powerful faction must be expected to prevail. Shall domestic manufactures be encouraged, and in what degree, by restrictions on foreign manufactures? are questions which would be differently decided by the landed and the manufacturing classes, and probably by neither with a sole regard to justice and the public good. The apportionment of taxes on the various descriptions of property is an act which seems to require the most exact impartiality; yet there is, perhaps, no legislative act in which greater opportunity and temptation are given to a predominant party to trample on the rules of justice. Every shilling with which they overburden the inferior number is a shilling saved to their own pockets.

It is in vain to say that enlightened statesmen will be able to adjust these clashing interests and render them all subservient to the public good. Enlightened statesmen will not always be at the helm. Nor, in many cases, can such an adjustment be made at all without taking into view indirect and remote considerations, which will rarely prevail over the immediate interest which one party may find in disregarding the rights of another or the good of the whole.

The inference to which we are brought is, that the *causes* of faction cannot be removed, and that relief is only to be sought in the means of controlling its *effects*.

If a faction consists of less than a majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to execute and mask its violence under

the forms of the Constitution. When a majority is included in a faction, the form of popular government, on the other hand, enables it to sacrifice to its ruling passion or interest both the public good and the rights of other citizens. To secure the public good and private rights against the danger of such a faction, and at the same time to preserve the spirit and the form of popular government, is then the great object to which our inquiries are directed. Let me add that it is the great desideratum [desire] by which this form of government can be rescued from the opprobrium under which it has so long labored, and be recommended to the esteem and adoption of mankind.

By what means is this object attainable? Evidently by one of two only. Either the existence of the same passion or interest in a majority at the same time must be prevented, or the majority, having such coexistent passion or interest, must be rendered by their number and local situation unable to concert and carry into effect schemes of oppression. If the impulse and the opportunity be suffered to coincide, we well know that neither moral nor religious motives can be relied on as an adequate control. They are not found to be such on the injustice and violence of individuals, and lose their efficacy in proportion to the number combined together, that is, in proportion as their efficacy becomes needful.

From this view of the subject it may be concluded that a pure democracy, by which I mean a society consisting of a small number of citizens, who assemble and administer the government in person, can admit of no cure for the mischiefs of faction. A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths. Theoretic politicians, who have patronized this species of government, have erroneously supposed that by reducing mankind to a perfect equality in their political rights, they would, at the same time, be perfectly equalized and assimilated in their possessions, their opinions, and their passions.

A republic, by which I mean a government in which the scheme of representation takes place, opens a different prospect, and promises the cure for which we are seeking. Let us examine the points in which it varies from pure democracy, and we shall comprehend both the nature of the cure and the efficacy which it must derive from the Union.

The two great points of difference between a democracy and a republic are: first, the delegation of the government in the latter to a small number of citizens elected by the rest; secondly, the greater number of citizens and greater sphere of country over which the latter may be extended.

enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations. Under such a regulation, it may well happen that the public voice, pronounced by the representatives of the people, will be more consonant to the public good than if pronounced by the people themselves, convened for the purpose. On the other hand, the effect may be inverted. Men of factious tempers, of local prejudices, or of sinister designs, may by intrigue, by corruption, or by other means, first obtain the suffrages, and then betray the interests of the people. The question resulting is, whether small or extensive republics are more favorable to the election of proper guardians of the public weal; and it is clearly decided in favor of the latter by two obvious considerations.

In the first place, it is to be remarked that, however small the republic may be, the representatives must be raised to a certain number in order to guard against the cabals of a few; and that, however large it may be, they must be limited to a certain number in order to guard against the confusion of a multitude. Hence, the number of representatives in the two cases not being in proportion to that of the two constituents, and being proportionally greater in the small republic, it follows that, if the proportion of fit characters be not less in the large than in the small republic, the former will present a greater option and consequently a greater probability of a fit choice.

In the next place, as each representative will be chosen by a greater number of citizens in the large than in the small republic, it will be more difficult for unworthy candidates to practise with success the vicious arts by which elections are too often carried; and the suffrages of the people being more free, will be more likely to centre in men who possess the most attractive merit and the most diffusive and established characters.

It must be confessed that in this, as in most other cases, there is a mean, on both sides of which inconveniences will be found to lie. By enlarging too much the number of electors, you render the representative too little acquainted with all their local circumstances and lesser interests: as by reducing it too much, you render him unduly attached to these, and too little fit to comprehend and pursue great and national objects. The federal Constitution forms a happy combination in this respect; the great and aggregate interests being referred to the national, the local and particular to the State legislatures.

The other point of difference is, the greater number of citizens and extent of territory which may be brought within the compass of republican than of democratic government; and it is this circumstance principally which renders factious combinations less to be dreaded in the former than in the latter. The smaller the society, the fewer probably will

be the distinct parties and interests composing it; the fewer the distinct parties and interests, the more frequently will a majority be found of the same party; and the smaller the number of individuals composing a majority, and the smaller the compass within which they are placed, the more easily will they concert and execute their plans of oppression. Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength and to act in unison with each other. Besides other impediments, it may be remarked that, where there is a consciousness of unjust or dishonorable purposes, communication is always checked by distrust in proportion to the number whose concurrence is necessary.

Hence, it clearly appears that the same advantage which a republic has over a democracy in controlling the effects of faction is enjoyed by a large over a small republic,—is enjoyed by the Union over the States composing it. Does the advantage consist in the substitution of representatives whose enlightened views and virtuous sentiments render them superior to local prejudices and to schemes of injustice? It will not be denied that the representation of the Union will be most likely to possess these requisite endowments. Does it consist in the greater security afforded by a greater variety of parties; against the event of any one party being able to outnumber and oppress the rest? In an equal degree does the increased variety of parties comprised within the Union, increase this security. Does it, in fine, consist in the greater obstacles opposed to the concert and accomplishment of the secret wishes of an unjust and interested majority? Here, again, the extent of the Union gives it the most palpable advantage.

The influence of factious leaders may kindle a flame within their particular States, but will be unable to spread a general conflagration through the other States. A religious sect may degenerate into a political faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union than a particular member of it; in the same proportion as such a malady is more likely to taint a particular county or district, than an entire State.

In the extent and proper structure of the Union, therefore, we behold a republican remedy for the diseases most incident to republican government. And according to the degree of pleasure and pride we feel in being republicans, ought to be our zeal in cherishing the spirit and supporting the character of Federalists.

PUBLIUS

"The Alleged Mischief of Faction" from *The Governmental Process*

DAVID B. TRUMAN

Most accounts of American legislative sessions—national, state, or local—are full of references to the maneuverings and iniquities of various organized groups. Newspaper stories report that a legislative proposal is being promoted by groups of business men or school teachers or farmers or consumers or labor unions or other aggregations of citizens. Cartoonists picture the legislature as completely under the control of sinister, portly, cigar-smoking individuals labeled "special interests," while a diminutive John Q. Public is pushed aside to sulk in futile anger and pathetic frustrations. A member of the legislature rises in righteous anger on the floor of the house or in a press conference to declare that the bill under discussion is being forced through by the "interests," by the most unscrupulous high-pressure "lobby" he has seen in all his years of public life. An investigating committee denounces the activities of a group as deceptive, immoral, and destructive of our constitutional methods and ideals. A chief executive attacks a "lobby" or "pressure group" as the agency responsible for obstructing or emasculating a piece of legislation that he has recommended "in the public interest."

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Such events are familiar even to the casual student of day-to-day politics, if only because they make diverting reading and appear to give the citizen the "low-down" on his government. He tends, along with many of his more sophisticated fellow citizens, to take these things more or less for granted, possibly because they merely confirm his conviction that "as everybody knows, politics is a dirty business." Yet at the same time he is likely to regard the activities of organized groups in political life as somehow outside the proper and normal processes of government, as the lapses of his weak contemporaries whose moral fiber is insufficient to prevent their defaulting on the great traditions of the Founding Fathers. These events appear to be a modern pathology.

Group pressures, whatever we may wish to call them, are not new in America. One of the earliest pieces of testimony to this effect is essay number 10 of *The Federalist*, which contains James Madison's classic statement of the impact of divergent groups upon government and the reasons for their development. He was arguing the virtues of the proposed Union as a means to "break and control the violence of faction," having in mind, no doubt, the groups involved in such actions of the debtor or propertyless segment of the population as Shays's Rebellion. He defined faction in broader terms, however, as "a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest . . ."

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[Madison's] analysis is not just the brilliant generalization of an arm-chair philosopher or pamphleteer; it represents as well the distillation from Madison's years of acquaintance with contemporary politics as a member of the Virginia Assembly and of [the Continental] Congress. Using the words "party" and "faction" almost interchangeably, since the political party as we know it had not yet developed, he saw the struggles of such groups as the essence of the political process. One need not concur in all his judgments to agree that the process he described had strong similarities to that of our own day.

The entire effort of which *The Federalist* was a part was one of the most skillful and important examples of pressure group activity in American history. The State ratifying conventions were handled by the Federalists with a skill that might well be the envy of a modern lobbyist. It is easy to overlook the fact that "unless the Federalists had been shrewd in manipulation as they were sound in theory, their arguments could not have prevailed."

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Alexis de Tocqueville, perhaps the keenest foreign student ever to write on American institutions, noted as one of the most striking characteristics of the nation the penchant for promoting a bewildering array of projects through organized societies, among them those using political means. "In no country in the world," he observed, "has the principle of association been more successfully used or applied to a greater multitude of objects than in America."¹ De Tocqueville was impressed by the organization of such groups and by their tendency to operate sometimes upon and sometimes parallel to the formal institutions of government. Speaking of the similarity between the representatives of such groups and the members of legislatures, he stated: "It is true that they [delegates of these societies] have not the right, like the others, of making the laws;

but they have the power of attacking those which are in force and of drawing up beforehand those which ought to be enacted."²

Since the modern political party was, in the Jackson period, just taking the form that we would recognize today, De Tocqueville does not always distinguish sharply between it and other types of political interest groups. In his discussion of "political associations," however, he gives an account of the antitariff convention held in Philadelphia in October of 1831, the form of which might well have come from the proceedings of a group meeting in an American city today:

Its debates were public, and they at once assumed a legislative character; the extent of the powers of Congress, the theories of free trade, and the different provisions of the tariff were discussed. At the end of ten days the Convention broke up, having drawn up an address to the American people in which it declared: (1) that Congress had not the right of making a tariff, and that the existing tariff was unconstitutional; (2) that the prohibition of free trade was prejudicial to the interests of any nation, and to those of the American people especially.³

Additional evidence might be cited from many quarters to illustrate the long history of group politics in this country. Organized pressures supporting or attacking the charter of the Bank of the United States in Jackson's administration, the speculations surrounding Pendleton's "Palace of Fortune" in the pre-Civil War period, the operations of the railroads and other interests in both national and state legislatures in the latter half of the last century, the political activities of farm groups such as the Grange in the same period—these and others indicate that at no time have the activities of organized political interests not been a part of American politics. Whether they indicate pathology or not, they are certainly not new.

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The political interest group is neither a fleeting, transitory newcomer to the political arena nor a localized phenomenon peculiar to one member of the family of nations. The persistence and the dispersion of such organizations indicate rather that we are dealing with a characteristic aspect of our society. That such groups are receiving an increasing measure of popular and technical attention suggests the hypothesis that they are appreciably more significant in the complex and interdependent society of our own day than they were in the simpler, less highly developed community for which our constitutional arrangements were originally designed.

Many people are quite willing to acknowledge the accuracy of these propositions about political groups, but they are worried nevertheless. They are still concerned over the meaning of what they see and read of the activities of such organizations. They observe, for example, that certain farm groups apparently can induce the Government to spend hun-

dreds of millions of dollars to maintain the price of food and to take "surplus" agricultural produce off the market while any urban residents are encountering painful difficulty in stretching their food budgets to provide adequately for their families. They observe that various labor organizations seem to be able to prevent the introduction of cheaper methods into building codes, although the cost of new housing is already beyond the reach of many. Real estate and contractors' trade associations apparently have the power to obstruct various governmental projects for slum clearance and low-cost housing. Veterans' organizations seem able to secure and protect increases in pensions and other benefits almost at will. A church apparently can prevent the appropriation of Federal funds to public schools unless such funds are also given to the schools it operates in competition with the public systems. The Government has declared that stable and friendly European governments cannot be maintained unless Americans buy more goods and services abroad. Yet American shipowners and seamen's unions can secure a statutory requirement that a large proportion of the goods purchased by European countries under the Marshall Plan* must be carried in American ships. Other industries and trade associations can prevent the revision of tariff rates and customs regulations that restrict imports from abroad.

In all these situations the fairly observant citizen sees various groups slugging it out with one another in pursuit of advantages from the Government. Or he sees some of them co-operating with one another to their mutual benefit. He reads of "swarms" of lobbyists "putting pressure on" congressmen and administrators. He has the impression that any group can get what it wants in Washington by deluging officials with mail and telegrams. He may then begin to wonder whether a governmental system like this can survive, whether it can carry its responsibilities in the world and meet the challenges presented by a ruthless dictatorship. He wants to see these external threats effectively met. The sentimental nonsense of the commercial advertisements aside, he values free speech, free elections, representative government, and all that these imply. He fears and resents practices and privileges that seem to place these values in jeopardy.

A common reaction to revelations concerning the more lurid activities of political groups is one of righteous indignation. Such indignation is entirely natural. It is likely, however, to be more comforting than constructive. What we seek are correctives, protections, or controls that will strengthen the practices essential in what we call democracy and that will weaken or eliminate those that really threaten that system. Uncritical anger may do little to achieve that objective, largely because it is likely to be based upon a picture of the governmental process that is a composite of myth and fiction as well as of fact. We shall not begin to achieve con-

*[The U.S. European Recovery Plan after World War II]

trol until we have arrived at a conception of politics that adequately accounts for the operations of political groups. We need to know what regular patterns are shown by group politics before we can predict its consequences and prescribe for its lapses. We need to re-examine our notions of how representative government operates in the United States before we can be confident of our statements about the effects of group activities upon it. Just as we should not know how to protect a farm house from lightning unless we knew something of the behavior of electricity, so we cannot hope to protect a governmental system from the results of group organization unless we have an adequate understanding of the political process of which these groups are a part.

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There are two elements in this conception of the political process in the United States that are of crucial significance and that require special emphasis. These are, first, the notion of multiple or overlapping membership and, second, the function of unorganized interests, or potential interest groups.

The idea of overlapping membership stems from the conception of a group as a standardized pattern of interactions rather than as a collection of human units. Although the former may appear to be a rather misty abstraction, it is actually far closer to complex reality than the latter notion. The view of a group as an aggregation of individuals abstracts from the observable fact that in any society, and especially a complex one, no single group affiliation accounts for all of the attitudes or interests of any individual except a fanatic or a compulsive neurotic. No tolerably normal person is totally absorbed in any group in which he participates. The diversity of an individual's activities and his attendant interests involve him in a variety of actual and potential groups. Moreover, the fact that the genetic experiences of no two individuals are identical and the consequent fact that the spectra of their attitudes are in varying degrees dissimilar means that the members of a single group will perceive the group's claims in terms of a diversity of frames of reference. Such heterogeneity may be of little significance until such time as these multiple memberships conflict. Then the cohesion and influence of the affected group depend upon the incorporation or accommodation of the conflicting loyalties of any significant segment of the group, an accommodation that may result in altering the original claims. Thus the leaders of a Parent-Teacher Association must take some account of the fact that their proposals must be acceptable to members who also belong to the local taxpayers' league, to the local chamber of commerce, and to the Catholic Church.

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We cannot account of an established American political system without the second crucial element in our conception of the political process,

the concept of the unorganized interest, or potential interest group. Despite the tremendous number of interest groups existing in the United States, not all interests are organized. If we recall the definition of an interest as a shared attitude, it becomes obvious that continuing interaction resulting in claims upon other groups does not take place on the basis of all such attitudes. One of the commonest interest groups forms, the association, emerges out of severe or prolonged disturbances in the expected relationships of individuals in similar institutionalized groups. As association continues to function as long as it succeeds in ordering these disturbed relationships, as a labor union orders the relationships between management and workers. Not all such expected relationships are simultaneously or in a given short period sufficiently disturbed to produce organization. Therefore only a portion of the interests or attitudes involved in such expectations are represented by organized groups. Similarly, many organized groups—families, businesses, or churches, for example—do not operate continuously as interest groups or as political interest groups.

Any mutual interest, however, any shared attitude, is a potential group. A disturbance in established relationships and expectations anywhere in the society may produce new patterns of interaction aimed at restricting or eliminating the disturbance. Sometimes it may be this possibility of organization that alone gives the potential group a minimum of influence in the political process. Thus . . . the Delta planters in Mississippi "must speak for their Negroes in such programs as health and education,"⁴ although the latter are virtually unorganized and are denied the means of active political participation.*

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Obstacles to the development of organized groups from potential ones may be presented by inertia or by the activities of opposed groups, but the possibility that severe disturbances will be created if these submerged, potential interests should organize necessitates some recognition of the existence of these interests and gives them at least a minimum of influence.

More important for present purposes than the potential groups representing separate minority elements are those interests or expectations that are so widely held in the society and are so reflected in the behavior of almost all citizens that they are, so to speak, taken for granted. Such "majority" interests are significant not only because they may become the basis for organized interest groups overlaps extensively the memberships of the various organized interest groups. The resolution of conflicts between the claims of such unorganized interests and those of organized interest groups must grant recognition to the former not only because

*[Until the 1960s, most Southern blacks were denied the right to vote.]

affected individuals may feel strongly attached to them but even more certainly because these interests are widely shared and are a part of many established patterns of behavior the disturbance of which would be difficult and painful. They are likely to be highly valued.

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It is thus multiple memberships in potential groups based on widely held and accepted interests that serve as a balance wheel in a going political system like that of the United States. To some people this observation may appear to be a truism and to others a somewhat mystical notion. It is neither. In the first place, neglect of this function of multiple memberships in most discussions of organized interest groups indicates that the observation is not altogether commonplace. Secondly, the statement has no mystical quality; the effective operation of these widely held interests is to be inferred directly from verbal and other behavior in the political sphere. Without the notion of multiple memberships in potential groups it is literally impossible to account for the existence of a viable polity such as that in the United States or to develop a coherent conception of the political process. The strength of these widely held but largely unorganized interests explains the vigor with which propagandists for organized groups attempt to change other attitudes by invoking such interests. Their importance is further evidenced in the recognized function of the means of mass communication, notably the press, in reinforcing widely accepted norms of "public morality."

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Thus it is only as the effects of overlapping memberships and the functions of unorganized interests and potential groups are included in the equation that it is accurate to speak of governmental activity as the product or resultant of interest group activity. As [political scientist Arthur F.] Bentley has put it:

There are limits to the technique of the struggle, this involving also limits to the group demands, all of which is solely a matter of empirical observation. . . . Or, in other words, when the struggle proceeds too harshly at any point there will become insistent in the society a group more powerful than either of those involved which tends to suppress the extreme and annoying methods of the groups in the primary struggle. It is within the embrace of these great lines of activity that the smaller struggles proceed, and the very word struggle has meaning only with reference to its limitations.²

To assert that the organization and activity of powerful interest groups constitutes a threat to representative government without measuring their relation to and effects upon the widespread potential groups is to generalize from insufficient data and upon an incomplete conception of the political process. Such an analysis would be as faulty as one that ignoring differences in national systems, predicted identical responses to a

given technological change in the United States, Japan, and the Soviet Union.

NOTES

1. Alexis de Tocqueville, *Democracy in America*, ed. by Phillips Bradley (New York: Knopf, 1945), Volume 1, p. 191.
2. Tocqueville, p. 193.
3. Tocqueville, p. 194.
4. V. O. Key, *Southern Politics in State and Nation* (New York: Knopf, 1949), p. 235.
5. Arthur F. Bentley, *The Process of Government* (Chicago: University of Chicago Press, 1908), p. 372.

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"The Hyperpluralism Trap"

JONATHAN RAUCH

Anyone who believes Washington needs to get closer to the people ought to spend a little time with Senator Richard Lugar, the Indiana Republican. "Take a look at the people coming into my office on a normal Tuesday and Wednesday," Lugar said in a speech not long ago. "Almost every organization in our society has a national conference. The typical way of handling this is to come in on a Monday, rev up the troops, give them the bill number and send them up to the Hill. If they can't get in on Tuesday, strike again on Wednesday. I regularly have on Tuesday as many as fifteen constituent groups from Indiana, all of whom have been revved up by some skillful person to cite bills that they don't understand, have never heard of prior to that time, but with a score sheet to report back to headquarters whether I am for or against. It is so routine, it is so fierce, that at some point you [can't be] immune to it."

This is the reality of modern government. The rhetoric of modern politics, alas, is a little different. Take today's standard-issue political stem-winder, which goes something like this: "I think perhaps the most important thing that we understand here in the heartland . . . is the need to reform the political system, to reduce the influence of special interests and give more influence back to the kind of people that are in this crowd tonight by the tens of thousands." That stream of boilerplate is from Bill Clinton (from his election-night speech), but it could have come from almost any politician. It's pitched in a dominant key on political

affected individuals may feel strongly attached to them but even more certainly because these interests are widely shared and are a part of many established patterns of behavior the disturbance of which would be difficult and painful. They are likely to be highly valued.

* * *

It is thus multiple memberships in potential groups based on widely held and accepted interests that serve as a balance wheel in a going political system like that of the United States. To some people this observation may appear to be a truism and to others a somewhat mystical notion. It is neither. In the first place, neglect of this function of multiple memberships in most discussions of organized interest groups indicates that the observation is not altogether commonplace. Secondly, the statement has no mystical quality; the effective operation of these widely held interests is to be inferred directly from verbal and other behaviors in the political sphere. Without the notion of multiple memberships in potential groups it is literally impossible to account for the existence of a viable polity such as that in the United States or to develop a coherent conception of the political process. The strength of these widely held but largely unorganized interests explains the vigor with which propagandists for organized groups attempt to change other attitudes by invoking such interests. Their importance is further evidenced in the recognized function of the means of mass communication, notably the press, in reinforcing widely accepted norms of "public morality."

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rhetoric today: *standard populism*—that is, someone has taken over the government and “we” must take it back, restore government to the people, etc. But who, exactly, are those thousands of citizens who troop weekly through Senator Lugar’s suite, clutching briefing packets and waving scorecards? Standard populism says they are the “special interests,” those boils on the skin of democracy, forever interposing themselves between the American people and the people’s servants in Washington.

Well, fifty years ago that analysis may have been useful, but not any more. In America today, the special interests and “the people” have become objectively indistinguishable. Groups are us. As a result, the populist impulse to blame special interests, big corporations and political careerists for our problems—once a tonic—has become Americans’ leading political narcotic. Worse, it actually abets the lobbying it so righteously denounces.

Begin with one of the best known yet most underappreciated facts of our time: over the past three or four decades we have busily organized ourselves into interest groups—lobbies, loosely speaking—at an astonishing rate. Interest groups were still fairly sparse in America until about the time of World War II. Then they started proliferating, and in the 1960s the pace of organizing picked up dramatically.

Consider, for instance, the numbers of groups listed in Gale Research’s *Encyclopedia of Associations*. The listings have grown from fewer than 5,000 in 1956 to well over 20,000 today. They represent, of course, only a small fraction of America’s universe of interest groups. Environmental organizations alone number an estimated 7,000, once you count local clean-up groups and the like; the *Washington Blade*’s resource directory lists more than 400 gay groups, up from 300 at the end of 1990. Between 1961 and 1982 the number of corporate offices in Washington increased tenfold. Even more dramatic was the explosion in the number of public-interest organizations and grass-roots groups. These barely existed at all before the 1960s; today they number in the tens of thousands and collect more than \$4 billion per year from 40 million individuals, according to political scientist Ronald Shaiko of American University.

Well, so what? Groups do many good things—provide companionship for the like-minded, collect and disseminate information, sponsor contests, keep the catering industry solvent. Indeed, conventional political theory for much of the postwar period was dominated by a strain known as pluralism, which holds that more groups equals more representation equals better democracy. Yet pluralism missed something. It assumed that the group-forming process was self-balancing and stable, as opposed to self-feeding and unstable. Which is to say, it failed to grasp the danger of what American University political scientist James Thurber aptly calls *hyperpluralism*.

In economics, inflation is a gradual increase in the price level. Up to a point, if the inflation rate is stable, people can plan around it. But if the rate starts to speed up, people start expecting more inflation. They hoard goods and dump cash, driving the inflation still faster. Eventually, an invisible threshold is crossed: the inflation now feeds on its own growth and undermines the stability of the whole economic system.

What the pluralists missed is that something analogous can happen with interest groups. People see that it pays to organize into groups and angle for benefits, so they do it. But as more groups make more demands, and as even more hungry groups form to compete with all the other groups, the process begins to feed on itself and pick up momentum. At some point there might be so many groups that they choke the political system, sow contention and conflict, even erode society’s governability. That’s *hyperpluralism*. And if it is less destabilizing than hyperinflation, it may be more insidious.

The pattern is most visible in smaller social units, such as local school districts, where groups colonize the curriculum—sex education for liberals, values instruction for conservatives, recycling lessons for environmentalists, voluntary silent prayer for Christians. But even among the general population the same forces are at work. Fifty years ago the phrase “the elderly” denoted a demographic category; today, thanks largely to federal pension programs and the American Association of Retired Persons (AARP), it denotes a giant and voracious lobby. In the 1930s the government set up farm-subsidy programs, one per commodity; inevitably, lobbies sprang up to defend each program, so that today American agriculture is fundamentally a collection of interest groups. With the help of group organizers and race-based benefits, loose ethnic distinctions coalesce into hard ethnic lobbies. And so on.

Even more depressing, any attempt to fight back against the proliferating mass of subdivision is foiled by the rhetoric of standard populism and its useful stooge: the special interest. The concept of a “special interest” is at the very core of standard populism—the “them” without which there can be no “us.” So widely accepted is this notion, and so useful is it in casual political speech, that most of us talk routinely about special interests without a second thought. We all feel we know a special interest when we see one, if only because it is a group of which we are not a member. Yet buried in the special interest idea is an assumption that is no longer true.

The concept of the special interest is not based on nothing. It is, rather, out of date, an increasingly empty relic of the time of machine politics and political bosses, when special interests were, quite literally, special. Simply because of who they were, they enjoyed access that was available to no one else. But the process of everyone’s organizing into more and more groups can go only so far before the very idea of a special interest

loses any clear meaning. At some point one must throw up one's hands and concede that the hoary dichotomy between special interests and "us" has become merely rhetoric.

According to a 1990 survey conducted for the American Society of Association Executives, seven out of ten Americans belong to at least one association, and one in four Americans belongs to four or more. Practically everyone who reads these words is a member of an interest group, probably several. Moreover, formal membership tallies omit many people whom we ordinarily think of as being represented by lobbies. For example, the powerful veterans' lobbies enroll only perhaps one-seventh of American veterans, yet the groups lobby on behalf of veterans as a class, and all 27 million veterans share in the benefits. Thus the old era of lobbying by special interests—by a well-connected, plutocratic few—is as dead now as slavery and Prohibition. We Americans have achieved the full democratization of lobbying: influence-peddling for the masses.

The appeal of standard populism today comes precisely from the phony reassurance afforded by its real message: "Other people's groups are the special interests. Less for them—more for you!" Spread that sweet manure around and the natural outgrowth is today's tendency, so evident in the Clinton style, to pander to interest groups frantically while denouncing them furiously. It is the public's style, too: sending ever more checks to the AARP and the National Rifle Association and the National Federation of Independent Business and the National Wildlife Federation and a million others, while railing against special interests. Join and join, blame and blame.

So hyperpluralism makes a hash of the usual sort of standard populist prescription, which calls for "the people" to be given more access to the system, at the expense of powerful Beltway figures who are alleged to have grown arrogant or corrupt or out of touch. Activists and reformers who think the answer to democracy's problems is more access for more of the people need to wake up. Uncontrolled access only breeds more lobbies. It is axiomatic that "the people" (whatever that now means) do not organize to seek government benefits; lobbies do. Every new door to the federal treasury is an opportunity for new groups to queue up for more goodies.

Populists resolutely refuse to confront this truth. Last year, for example, Republicans and the editors of *The Wall Street Journal* campaigned fiercely—and successfully—for new congressional rules making it easier for legislators and groups to demand that bottled-up bills be discharged from committee. The idea was to bring Congress closer to "the people" by weakening the supposedly high-handed barons who rule the Hill. But burying the Free Christmas Tree for Every American Act (or whatever) in committee—while letting members of Congress say they *would* have voted for it—was one of the few remaining ways to hold the door against hungry lobbies clamoring for gifts.

A second brand of populism, *left-populism*, is even more clueless than the standard brand, if that's possible. Many liberals believe the problem is that the wrong groups—the rich, the elites, the giant corporations, etc.—have managed to out-organize the good guys and take control of the system. One version of this model was elaborated by William Greider in his book *Who Will Tell the People*. The New Deal legacy, he writes, "rests upon an idea of interest group bargaining that has gradually been transformed into the random deal-making and permissiveness of the present. The alterations in the system are decisive and . . . the ultimate effects are anti-democratic. People with limited resources, with no real representation in the higher levels of politics, are bound to lose in this environment." So elaborate is the Washington machine of lobbyists, consultants, P.R. experts, political action committees and for-hire think tanks, says Greider, that "powerful economic interests," notably corporations and private wealth, inevitably dominate.

What's appealing about this view is the truism from which it springs: the wealthy enjoy a natural advantage in lobbying, as in almost everything else. Thus many lobbies—even liberal lobbies—are dominated by the comfortable and the wealthy. Consider the case of environmental groups. Anyone who doubts they are major players in Washington today need only look at the massive 1990 Clean Air Act, a piece of legislation that business gladly would have done without. Yet these groups are hardly battalions of the disfranchised. "Readers of *Sierra*, the magazine of the Sierra Club, have household incomes twice that of the average American," notes Senior Economist Terry L. Anderson of the Political Economy Research Center. And *The Economist* notes that "in 1993 the Nature Conservancy, with \$915 million in assets, drew 73 percent of its income from rich individuals." When such groups push for emissions controls or pesticide rules, they may be reflecting the priorities of people who buy BMWs and brie more than the priorities of people who buy used Cheves and hamburger. So left-populism's claim to speak for "the people" is often suspect, to say the least.

The larger problem with left-populism, however, is its refusal to see that it is feeding the very problem it decries. Left-populism was supposed to fix the wealth-buys-power problem by organizing the politically disadvantaged into groups: unions, consumer groups, rainbow coalitions and so on. But the strategy has failed. As the left (the unions, the environmentalists) has organized ever more groups, the right (the bosses, the polluters) has followed suit. The group-forming has simply spiralled. This makes a joke of the left-populist prescription, which is to form more "citizens' groups" on the Naderite model, supposedly reinvigorating representative democracy and giving voice to the weak and the silenced. Greider proposes giving people subsidies to spend on political activism: "Giving individual citizens the capacity to deploy political money would inevitably shift power from existing structures and disperse it among the ordinary millions who now feel excluded."

Inevitably, it would do no such thing. Subsidies for activism would perforce go straight into the waiting coffers of (what else?) interest groups, new and old. That just makes matters worse, for if one side organizes more groups, the other side simply redoubles its own mobilization ad infinitum. That escalating cycle is the story of the last three decades. The only winner is the lobbying class. Curiously, then, left-populism has come to serve the very lobbying elites—the Washington lawyers and lobby shops and P.R. pros and interest group execs—whom leftists ought, by rights, to loathe.

The realization that the lobbying class is, to a large extent, both entrepreneurial and in business for itself has fed the third brand of populism, *right-populism*. In the right-populist model, self-serving political careerists have hijacked government and learned to manipulate it for profit. In refreshing contrast to the other two brands of populism, however, this one is in touch with reality. Washington is in business for itself, though not only for itself. Legislators and lobbies have an interest in using the tax code to please their constituents, but they also have an interest in churning the tax code to generate campaign contributions and lobbying fees. Luckily for them, those two imperatives generally coincide: the more everyone hunts for tax breaks, the more lobbying jobs there are. Right-populism has tumbled to the fact that so-called public interest and citizens' groups are no more immune to this self-serving logic of lobbying—create conflict, reap rewards—than is any other sort of professional lobby.

Yet right-populism fails to see to the bottom of the problem. It looks into the abyss but finches. This is not to say that term limits and other procedural fine-tunes may not help; such reforms are no doubt worth trying. But even if noodling with procedures succeeded in diluting the culture of political careerism, it would help (or hurt) mainly at the margins. No, tinkering with the process isn't the answer. What we must do is go straight at the beast itself. We must attack and weaken the lobbies—that is, the *people's* lobbies.

It sounds so simple: weaken the lobbies! Shove them aside, reclaim the government! "It's just that simple," twinkles Ross Perot. But it's not that simple. Lobbies in Washington have clout because the people who scream when "special interests" are attacked are Medicare recipients defending benefits, farmers defending price supports, small businesses defending subsidized loans, racial groups defending set-asides and so on. Inherently, challenging these groups is no one's idea of fun, which is why politicians so rarely propose to do it. The solution is to strip away lobbies' protections and let competition hammer them. In practice, that means:

Balance the federal budget. It is a hackneyed prescription, but it is the very first thing we should do to curtail the lobbies' ability to rob the future. Deficits empower lobbies by allowing them to raid the nation's

scarce reserves of investment capital. Deprived of that ability, they will be forced to compete more fiercely for money, and they'll be unable to steal from the future.

Cut the lobbies' lifelines. Eliminate subsidies and programs, including tax loopholes, by the hundreds. Killing a program here or there is a loser's game; it creates a political uproar without actually making a noticeable difference. The model, rather, should be the 1986 tax reform measure, which proved that a wholesale housecleaning really is possible. Back then, tax loopholes were cleared away by the truckload. The trick was—and is—to do the job with a big package of reforms that politicians can tout back home as real change. That means ditching whole Cabinet departments and abolishing virtually all industry-specific subsidies. Then go after subsidies for the non-need—wholesale, not retail.

*Promote domestic perestroika.** Lobbies live to lock benefits in and competition out, so government restraints on competition should be removed—not indiscriminately, but determinedly. President Carter's deregulation of transportation industries and interest rates, though imperfectly executed, were good examples. Air travel, trucking and rail shipping are cheaper and safer. The affected industries have been more turbulent, but that's exactly the point. Domestic competition shakes up interest groups that settle cozily into Washington.

Encourage foreign competition. This is most important of all. The forces that breed interest groups never abate, and so fighting them requires a constant counterforce. Foreign competition is such a counterforce. Protection invariably benefits the industries and groups with the sharpest lobbyists and the fattest political action committees; stripping away protection forces them to focus more on modernizing and less on lobbying.

No good deed, they say, goes unpunished. We sought to solve pressing social problems, so we gave government vast power to reassign resources. We also sought to look out for ourselves and bring voices to all of our many natures and needs, so we built countless new groups to seek government's resources. What we did not create was a way to control the chain reaction we set off. Swarming interest groups excited government to perpetual activism, and government activism drew new groups to Washington by the thousands. Before we knew it, society itself was turning into a collection of ravenous lobbies.

Why was this not always a problem? Because there used to be control rods containing the chain reaction. Smoke-filled rooms, they were called. On Capitol Hill or in Tammany Hall, you needed to see one of about six people to have any hope of getting what you wanted, and those six people dispensed (and conserved) favors with parsimonious finesse. Seen from today's vantage, smoke-filled rooms and political machines

* [1980s Soviet Union program of political and economic reform.]

did a creditable job of keeping a lid on the interest group frenzy—they just didn't do it particularly fairly. That's why we opened up access to anyone who wants to organize and lobby, and opened up power to subcommittee chairs and caucus heads and even junior legislators. In doing so, we abolished the venal gatekeepers. But that was only the good news. The bad news was that we also abolished the gate.

No, we shouldn't go back to smoke-filled rooms. But the way forward is harder than it ever was before. The maladies that now afflict government are ones in which the public is wholly, enthusiastically implicated. Still, there are sprigs and shoots of encouragement all around. There was the surprisingly strong presidential bid of former Senator Paul Tsongas, which built something of a constituency for straight talk. There's the rise of a school of Democrats in Congress—among them Senator Bob Kerrey and retiring Representative Tim Penny—who are willing to drag the White House toward sterner fiscal measures. There was the Clinton-led triumph of NAFTA [North American Free Trade Agreement] last year. Those developments show promise of a political movement that is counterpopulist yet also popular. Maybe—is it too much to hope?—they point beyond the desert of populism.

DISCUSSION QUESTIONS

1. Why was Madison concerned about factions? What solutions to the "mischiefs of faction" did he suggest?
2. Can you think of any examples of overlapping group memberships providing overall balance to the political system? How about an example of the emergence of new organizations that had a significant impact on a policy debate? Can you think of instances in which, counter to Truman, a new organization did not emerge, leaving a group unrepresented?
3. Rauch complains that interest groups slow down the policy-making process, but isn't this what the Framers of the Constitution intended? Is the interest-group system as portrayed by Rauch a danger to democracy, or is it in fact implementing the principles implicit in the Constitution?
4. Among the many forms of interest-group activity, campaign contributions seem to provoke some of the harshest criticisms. Is this reasonable? Is there any reason to be more concerned about campaign contributions than about lobbying, lawsuits, funding research, or any other activities groups employ to pursue their cause?

PART IV

Public Policy